

IT IS HEREBY ADJUDGED  
and DECREED this is SO  
ORDERED.



**TIFFANY & BOSCO**  
P.A.

Dated: September 08, 2010

**2525 EAST CAMELBACK ROAD**

**SUITE 300**

**PHOENIX, ARIZONA 85016**

**TELEPHONE: (602) 255-6000**

**FACSIMILE: (602) 255-0192**

*Sarah S. Curley*

**SARAH S. CURLEY**  
U.S. Bankruptcy Judge

Mark S. Bosco  
State Bar No. 010167  
Leonard J. McDonald  
State Bar No. 014228  
Attorneys for Movant

10-19763

**IN THE UNITED STATES BANKRUPTCY COURT**  
**FOR THE DISTRICT OF ARIZONA**

IN RE:

No. 2:10-BK-22586-SSC

Frank K. Scherf and Kary F. Scherf  
Debtors.

Chapter 7

ORDER

JPMorgan Chase Bank, N.A.  
C/O Chase Home Finance LLC as servicing agent.  
Movant,

(Related to Docket #10)

vs.

Frank K. Scherf and Kary F. Scherf, Debtors, Brian  
J. Mullen, Trustee.

Respondents.

Movant's Motion for Relief from the Automatic Stay and Notice along with the form of proposed Order Lifting Stay, having been duly served upon Respondents, Respondents' counsel and Trustee, if any, and no objection having been received, and good cause appearing therefore,

IT IS HEREBY ORDERED that all stays and injunctions, including the automatic stays imposed

1 by U.S. Bankruptcy Code 362(a) are hereby vacated as to Movant with respect to that certain real  
2 property which is the subject of a Deed of Trust dated September 22, 2006 and recorded in the office of  
3 the Maricopa County Recorder wherein JPMorgan Chase Bank, N.A.

4 C/O Chase Home Finance LLC as servicing agent. is the current beneficiary and Frank K. Scherf and  
5 Kary F. Scherf have an interest in, further described as:

6 Lot 13, UPSHAW DESERT VIEW, according to the plat of record in the office of the County  
7 Recorder, Maricopa County, Arizona in book 52 of maps, page 32.

8 IT IS FURTHER ORDERED that Movant may contact the Debtors by telephone or written  
9 correspondence regarding a potential Forbearance Agreement, Loan Modification, Refinance  
10 Agreement, or other Loan Workout/Loss Mitigation Agreement, and may enter into such agreement  
11 with Debtors. However, Movant may not enforce, or threaten to enforce, any personal liability against  
12 Debtors if Debtors' personal liability is discharged in this bankruptcy case.

13 IT IS FURTHER ORDERED that this Order shall remain in effect in any bankruptcy chapter  
14 to which the Debtor may convert.